

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

COCN No.1311 of 2005

Date of decision: November 28, 2006.

Sher Singh

...**Petitioner(s)**

v.

Jagjeet Singh Chawla & Ors.

...**Respondent(s)**

Present: Mrs. Lisa Gill, Advocate for the petitioner.

Shri RPS Ahluwalia, Advocate for the respondents.

Surya Kant, J. (Oral)

This contempt petition has been filed, *inter-alia*, alleging that the respondents, in derogation of the interim order dated September 15, 2005 passed by this Court in RSA No.3391 of 2005, have raised some construction at the disputed site.

In response to the show cause notice, reply has been filed on behalf of the respondents, who have taken the plea that no construction has been raised at the spot after the passing of the above stated interim order by this Court.

The petitioner and respondents No.2 to 4 are brothers; respondent No.1 is their father. Though, from the photographs, Annexure P-7, it appears that some new construction was started at the spot, however, having regard to the relationship between the parties, I do not deem it appropriate to go into the said question and rather, dispose of this petition with a direction that no advantage, whatsoever, shall be taken by the

respondents on the basis of the new construction, as reflected in the photographs, Annexure P-7, at the time of final hearing of the regular second appeal and/or subsequent thereto. The construction, if any, carried out at the spot shall also remain subject to final outcome of the regular second appeal. it is further directed that no further construction, repair, etc. shall be carried out by the respondents at the spot.

Disposed of.

Rule discharged.

November 28, 2006.
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[**Surya Kant**]
Judge